IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 10407 of 2000

For Approval and Signature:

Hon'ble MR.JUSTICE D.H.WAGHELA

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

GUJARAT STATE ROAD TRANSPORT CORPORATION

Versus

SOLANKI MAHENDRASINGH BHARATSINGH

Appearance:

MR KM PARIKH for Petitioner

MR ANIL C THAKORE for Respondent No. 1

CORAM : MR.JUSTICE D.H.WAGHELA

Date of decision: 04/10/2000

ORAL JUDGEMENT

#. Rule. The Learned Counsel for the respondent appearing on caveat waives service of rule.

#. The petitioner, State Road Transport Corporation, challenges the award of Labour Court Surat in Ref. LCS

No.56/98 made on 18.3.1999. The petition is filed in September, 2000 and moved for admission now. No ground for such inordinate delay in approaching this Court is made out either in the petition or during the course of arguments. The Learned Counsel for the petitioner urged that although the respondent is ordered to be reinstated without any backwages. It is necessary in the facts of the case, that the respondent should suffer further punishment. The Learned Counsel for the respondent submitted that the respondent has no objection if he is made to suffer further punishment of stoppage of 3 increments. Accordingly, by consent, the impugned award is modified to the extent that the respondent shall be reinstated without backwages but with continuity of service and shall suffer the further punishment of stoppage of 3 increments with permanent effect from 26.11.1997. Rule is made absolute accordingly with no order as to costs.

kks